

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for April 12, 2006 PLANNING COMMISSION MEETING

PROJECT #: Garden Center Special Permit No. 06022

PROPOSAL: Requested a special permit to construct and operate a Garden Center

LOCATION: South 14th Street and Saltillo Road

WAIVER REQUEST: NA

LAND AREA: 22.47 acres, more or less

CONCLUSION: In conformance with the Comprehensive Plan and Zoning

<u>RECOMMENDATION:</u>	Conditional Approval
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GENERAL INFORMATION:

LEGAL DESCRIPTION: Lot 44 Irregular Tracts in the SE 1/4 of Section 35, Township 9 North, Range 6 East of the 6th P.M., Lincoln, Lancaster County, Nebraska

EXISTING ZONING: AG Agriculture

EXISTING LAND USE: tree farm and tree service.

SURROUNDING LAND USE AND ZONING:

North: farmland, zoned AG Agriculture

South: acreages, zoned AG Agriculture

East: farmland, zoned AG Agriculture

West: Hwy 77 and commercial uses, zoned H -3

ASSOCIATED APPLICATIONS: none

HISTORY: Changed from AA to AG in the 1979 zoning update.

COMPREHENSIVE PLAN SPECIFICATIONS: This is shown as Agriculture, Outside the Tier I future service limits. This is Tier II.

UTILITIES: None available. This area is outside of the future urban service area shown in the Comprehensive Plan.

TOPOGRAPHY: flat

TRAFFIC ANALYSIS: Hwy 77 on the west side, S. 14th Street on the east side, Saltillo Road 1/4 mile south.

PUBLIC SERVICE: This area is served by the Norris Public School District, the Southwest Rural Fire District, and is in the Norris Public Power service area. County Sheriff.

REGIONAL ISSUES: Entrance to the city. Development along Homestead Expressway.

ENVIRONMENTAL CONCERNS: There are no Historic or Ecological resources identified on or near this site. The soil rating is 2.75. A rating of 1 to 4 is prime. This is prime agriculture soil. There is some 100 yr floodplain at this location. About 10% of the northeast corner of the lot is in floodplain and is shown on the plot plan.

AESTHETIC CONSIDERATIONS: This site abuts the "West Bypass" and is along an entry-way corridor and edge in the city. The site is very visible.

ALTERNATIVE USES: Farming and one dwelling.

ANALYSIS:

1. This special permit is for a garden center on a 22.47 acre parcel, under the provisions of 27.63.110. This will take access off of S. 14th Street, a paved mile section road (shown as a minor arterial in the Plan).
2. The center appears to consist of a 100 X 60 ft (6,000 sf) Garden Center, a 100 X 50' outside sales area, a 160 X 180 foot envelope for a greenhouse and other outdoor storage areas.
3. Hours of operation and exterior lighting is not addressed in the application.
4. The applicant shows 50' setbacks but a 100' setback from all exterior lot lines is required under 27.63.110.
5. The applicant shows substantial landscaping/screening along the north, west and south sides of the area. Since this does not abut a residential district, no screening is required.

6. By separate code, 27.67, the parking lot will be required to be paved to City standard.

CONDITIONS OF APPROVAL:

Site Specific:

1. This approval permits a garden center of up to 6,500 square feet.

General:

2. Before receiving building permits:
 - 2.1 The permittee shall complete the following instructions and submit the documents and plans to the Planning Department office for review and approval.
 - 2.1.1 A revised site plan including 5 copies showing the following revision:
 - 2.1.1.1 A setback of 100' on all sides.
 - 2.2 The construction plans comply with the approved plans.

STANDARD CONDITIONS:

3. The following conditions are applicable to all requests:
 - 3.1 Before occupying this Nursery all development and construction is to comply with the approved plans.
 - 3.2 Before occupying this nursery, City/County Health Department is to approve the water and waste water systems.
 - 3.3 All privately-owned improvements, including landscaping are to be permanently maintained by the owner.
 - 3.4 The site plan accompanying this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.
 - 3.5 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.

- 3.6 The applicant shall sign and return the letter of acceptance to the City Clerk within 30 days following the approval of the special permit, provided, however, said 30-day period may be extended up to six months by administrative amendment. The clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filling fees therefor to be paid in advance by the applicant.

Prepared by

Planner Mike DeKalb, 441-6370, mdekalb@lincoln.ne.gov
March 21, 2006

APPLICANT: Hendricks Investments, LLC
1045 Lincoln Mall Ste 200
Lincoln, NE 68508

OWNER: Richard & Byron Vanier
8240 South St.
Lincoln, NE

CONTACT: Mark Hunzeker
1045 Lincoln Mall, Suite 200
Lincoln, NE 68508
(402) 476-7621



2005 aerial

Special Permit #06022 S 14th St & Saltillo Rd

Zoning:

R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

One Square Mile
Sec. 35 T09N R06E



Zoning Jurisdiction Lines

City Limit Jurisdiction

Rokeby Rd.



Saltillo Rd.

14 MAR 2006



LEGAL:

LOT 44 I.T. 35-09-06
22.47+/-AC.

ZONING:

AG
SPECIAL PERMIT
FOR GARDEN CENTER

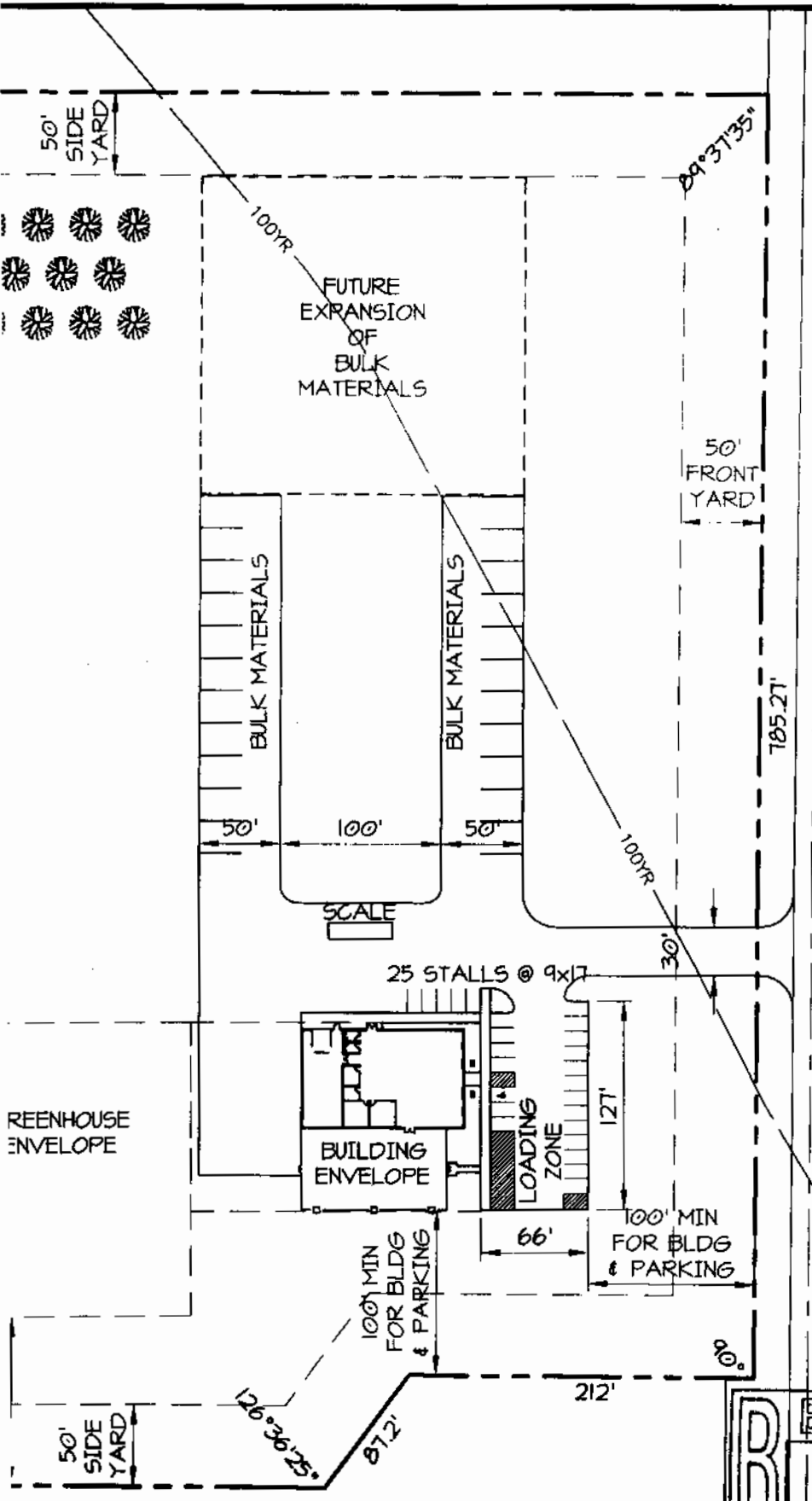
HENDRICKS NURSERY

CONCEPT PLAN

LINCOLN, NEBRASKA.COM

Project No. _____
Sheet Name _____

Design Associates
ARCHITECTS • ENGINEERS • PLANNERS
PETERSON SQUARE 1808 "N" STREET LINCOLN NEBRASKA 68508
PHONE: 402.474.3000 EMAIL: design@designassociates.com



SITE PLAN

SCALE: 1" = 100'

Special Permit #06022
S 14th St & Saltillo Rd

INCASER COUNTY
DEPARTMENT

RECEIVED
MAR 16 2006

Special Permit #06022
S 14th St & Saltillo Rd

Lancaster


DON R. THOMAS - COUNTY ENGINEER

County

Engineering

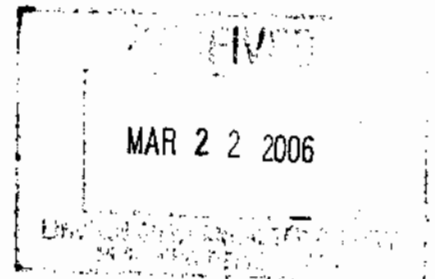
Department

DEPUTY- LARRY V. WORRELL
COUNTY SURVEYOR

DATE: March 20, 2006
TO: Mike DeKalb
Planning Department
FROM: Larry V. Worrell 
County Surveyor
SUBJECT: SPECIAL PERMIT NO. 06022
HENDRICKS NURSERY

Upon review, this office has no direct objections to this submittal.

LVW/bml





AREA 2
SERVICE CENTER

R.R. 1 BOX 56
ROCA, NEBRASKA 68430
402/423-3855
FAX 402/423-8090

March 21, 2006

Mike Dekalb, Project Planner
555 S. 10th St. #213
Lincoln, NE 68508

RE: Special Permit #SP06020, and SP06022

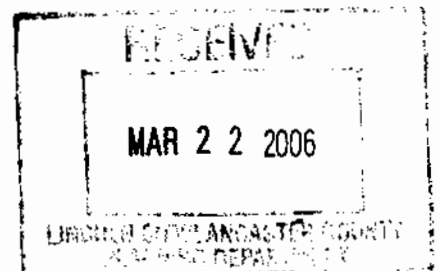
Dear Mike,

With regards to both of these projects, the Norris District will request no easement at this time.

Thanks for your cooperation.

Sincerely,

Rick Volmer, Staking Engineer





Status of Review: Active

Reviewed By ANY

Comments:

Status of Review: Approved

Reviewed By 911 ANY

Comments:

Status of Review: Approved

Reviewed By Alltel ANY

Comments:

Status of Review: FYI

03/21/2006 10:47:18 AM

Reviewed By Building & Safety Terry Kathe

Comments: Building envelope is not dimensioned.

Status of Review: Active

Reviewed By County Engineer JIM LANGTRY

Comments:

Status of Review: Active

Reviewed By Health Department ANY

Comments:

Status of Review: Active

Reviewed By Lancaster County Sheriff Department ANY

Comments:

Status of Review: Active

Reviewed By Lincoln Electric System JIM HENNESSY

Comments:

Status of Review: Active

Reviewed By Nebraska Department of Roads

ANY

Comments:

Status of Review: Complete

Reviewed By Planning Department

RAY HILL

Comments:

Status of Review: Active

Reviewed By Planning Department

MIKE DEKALB

Comments:

Status of Review: Routed

Reviewed By Planning Department

COUNTER

Comments:

Status of Review: Active

Reviewed By Public Works - Watershed Management

ANY

Comments:

Status of Review: Active

Reviewed By Rural Fire District

ANY

Comments:

Status of Review: Active

Reviewed By US Post Office

ANY

Comments:

**LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT
INTER-OFFICE COMMUNICATION**

TO: Mike DeKalb

DATE:

March 29, 2006

DEPARTMENT: Planning

FROM:

Chris Schroeder

ATTENTION:

DEPARTMENT:

Health

CARBONS TO: EH File
EH Administration

SUBJECT: Hendrick's Nursery
SP #06022

The Lincoln-Lancaster County Health Department (LLCHD) has reviewed the special permit application with the following noted:

- The soils in the area consist primarily of Kennebec and Butler. Kennebec is a frequently flooded soil that is poorly suited for on-site wastewater treatment systems. Butler is a poorly drained soil that is poorly suited for on-site wastewater treatment systems. Flood plain exists in the northeast corner of the lot. The applicant must provide a report prepared by a certified on-site wastewater system installer or a licensed engineer describing the method of wastewater disposal and the location of the system before the LLCHD will issue approval.
- According to the LLCHD's Geographic Information System (GIS) records, an eight inch high pressure underground petroleum pipeline traverses the southwest corner of this proposed development. In the event of a spill or leak of a flammable liquid, the United States Department of Transportation's 2000 Emergency Response Guidebook recommends immediately establishing an isolation area of at least 80 to 160 feet in all directions to protect public health. For a large spill of a flammable liquid, this guidebook recommends an initial downwind evacuation for at least 1000 feet.
- Given this information, the LLCHD recommends contacting the Magellan Pipeline Company to accurately locate this pipeline and establish a buffer of 160 feet on each side of this pipeline. See the attached GIS map for the approximate location of this pipeline and the 160 foot buffer. While there are no current regulations that prohibit the location of occupied structures within certain distances of underground petroleum pipelines, the LLCHD recommends that occupied structures and structures containing hazardous materials (pesticides, herbicides, etc.) not be located within the 160 feet of this pipeline.
- All wind and water erosion must be controlled during construction. The Lower Platte South Natural Resources District should be contacted for guidance in this matter.

- During the construction process, the land owner(s) will be responsible for controlling off-site dust emissions in accordance with Lincoln-Lancaster County Air Pollution Regulations and Standards Article 2 Section 32. Dust control measures shall include, but not limited to application of water to roads, driveways, parking lots on site, site frontage and any adjacent business or residential frontage. Planting and maintenance of ground cover will also be incorporated as necessary.